

CEA RETURN RIGHTS WORKSHEET

1. Employee:	2. Social Security Number:	3. Date Calculated:
4. CEA class/level from which being terminated:		
5. Maximum salary of CEA class/level from which being terminated:	\$	
6. Total years of State service: <i>Note: Once you identify at least ten (10) years of State service and the employee's former position, you do not need to identify or locate additional State service since ten years is all that is needed to afford the maximum improved reinstatement rights. "State Service" includes both exempt and civil service time.</i>		
7. Total consecutive years of CEA service under a single appointing power: <i>Note: Exempt service between two periods of CEA service does not break consecutive CEA service.</i>		
8. Lowest CEA level served during the most recent three (3) consecutive year qualifying period:		
9. Maximum salary of the lowest CEA class/level used to meet the three (3) consecutive year qualifying period (#8):	\$	
10. Salary two (2) steps lower than the salary of the lowest CEA level used to meet the three (3) consecutive year period (#9): <i>Note: Two steps lower is computed by taking the maximum salary of the lowest CEA level and dividing it by 1.05, rounding it off, and dividing that by 1.05 again. (See SPB Rule 431).</i>	\$	
11. Appointing power from which CEA is being terminated:		
12. Salary level two (2) steps lower than the maximum salary of CEA class/level from which being terminated: (#5): <i>Note: Two steps lower is computed by taking the maximum salary of the CEA class/level from which being terminated and dividing it by 1.05, rounding it off, and dividing that by 1.05 again.</i>	\$	
13. Former position (excluding prior CEA appointments): <i>Note: If employee does not have a former probationary or permanent civil service position, he or she has no reinstatement eligibility and you may go to Page 4, G.C. Section 18993.</i>		
14. Current maximum salary of the former position (#13):	\$	
15. Salary two (2) steps higher than the maximum salary of the former position (#14): <i>Note: Two steps higher is computed by taking the maximum salary of the former position and multiplying it by 1.05, rounding it off, and multiplying that by 1.05 again.</i>	\$	
16. Appointing power of former position:		

MANDATORY REINSTATEMENT: Former position as defined in Regulation 548.150 and 548.151

548.151 – Reinstatement to Former Position Following Termination

Requires that an employee terminated from a CEA shall be reinstated to his or her former position unless the employee elects to be appointed to another position, offered by the appointing power, for which he or she is eligible.

548.150 – Definition of Former Position as it applies to terminating CEA's

"Former position" is defined as the last position an employee held as a probationer or permanent employee or a position that is at least at the same salary level and to which the appointing power could have transferred the employee.

A. Appointing Power of former position (#16):	
B. Class of former position (#13):	
C. Maximum salary of class of the former position: \$	
D. 90-day Red Circle Rate Salary: \$	E. Extended Red Circle Rate Salary: \$
F. Date Red Circle Rate will expire:	
<i>Note: PAR documentation: A03 Mandatory Reinstatement.</i>	

IMPROVED MANDATORY REINSTATEMENT – Regulation 548.153

Requires the employee to have at least ten (10) years of State service that includes three (3) consecutive years of CEA service under a single appointing authority. This mandatory right applies only to the Department where the three (3) consecutive years of CEA were served.

A. List classes within the appointing power that have a maximum salary the same as or lower than the salary identified in #10 as two steps lower than the lowest CEA level used to meet the three-year requirement (\$) and are at least the same as or lower than the salary identified in #12 as two steps lower than the CEA level from which being terminated (\$) and above the salary identified in #14 as the salary of the former position (\$). The classes must be limited to those meeting the above salary criteria <u>and</u> (1) the employee's CEA experience and prior employment history would reasonably predict successful performance in the class; and (2) the employee possesses any licenses and certificates required by law.	
B. List classes identified in A that have vacant positions and offer at least one of the vacant positions to the employee.	
C. Did the employee accept a reinstatement to one of the vacant positions listed in B? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Class:	Salary: \$
90-day Red Circle Rate Salary: \$	Extended Red Circle Rate Salary: \$
Date Red Circle Rate expires:	
<i>Note: If the answer to C is No, the employee relinquishes all rights to reinstatement under this rule and he/she is reinstated to his or her former position.</i>	
D. If there are no vacant positions in the classes listed under A or in any of classes listed in A that are higher than the class to which the employee was reinstated, the employee's name must be placed on the appropriate departmental reemployment lists. The employee's name was placed on the following departmental reemployment lists:	

IMPROVED PERMISSIVE REINSTATEMENT – Regulation 548.152548.152(2)

Requires the employee to have at least five (5) years of State service that includes three (3) years of CEA service. An offer of reinstatement under this rule is totally at the discretion of the appointing power and can apply to any State department.

A. List classes used by the appointing power where the CEA is being terminated that have a maximum salary the same as or lower than the salary identified in #12 as two steps lower than the CEA level from which being terminated (\$) and higher than the salary identified in #14 as the salary of the former position (\$).	
B. List any of the classes in A that have vacant positions:	
C. Was the employee offered and did he/she accept one of the vacant positions listed in A or B within four (4) years of the date the CEA was terminated?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Class:	Salary: \$
90-day Red Circle Rate Salary: \$	Extended Red Circle Rate Salary: \$
Date Red Circle Rate expires:	
Is a new probationary period required?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Note: PAR Documentation: A02 Reinstatement with "Rule 548.152" in Item 215.</i>	

548.152 (1)

Requires the employee to have at least five (5) years of State service that includes at least one (1) year but less than three (3) years of CEA service. An offer for reinstatement under this regulation is totally at the discretion of the appointing power. This regulation applies to any department.

Note: If the employee has five (5) years or more of State service and three (3) years or more of CEA, he or she has the higher improved rights under 548.152(2) above and you do not need to fill this section out.

A. List classes used by the appointing power where the CEA is being terminated that have a maximum salary the same as or lower than the salary identified in #15 as two steps higher than the former position (\$), but no higher than the salary identified in #12 as two steps lower than the CEA level from which being terminated (\$).
B. List any of the classes in A that have vacant positions:

C. Was the employee offered and did he/she accept one of the vacant positions listed in A or B within four (4) years of the date the CEA was terminated?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Class:		Salary: \$
90-day Red Circle Rate Salary: \$	Extended Red Circle Rate Salary: \$	
Date Red Circle Rate expires:		
Is a new probationary period required?		<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Note: PAR Documentation: A02 Reinstatement with "Rule 548.152" in Item 215.</i>		

GOVERNMENT CODE SECTION 18993

Provides eligibility for CEAs that had no prior civil service appointments and were appointed to the CEA position because they met the criteria of G.C. Section 18990 or 18992 to take promotional examinations while they are in the CEA position and to take deferred promotional examinations when their CEA is terminated.

1. Requires that the employee must have been appointed to the CEA position based on the fact that he or she competed in the CEA exam by meeting the criteria of G.C. Section 18990 or 18992 (two years of consecutive Legislative or Executive Branch exempt service).
2. For as long as the employee is employed in the CEA position, he/she may take any promotional examination for the department where he/she is employed and for which he or she meets the minimum qualifications.
3. After the CEA position is terminated the employee may request a deferred examination for any promotional eligible list for his or her department in existence at the time of the CEA termination and for which he or she meets the minimum qualifications. The employee's request must be made within 10 days after the CEA termination and the department must administer the examination within 30 days of the date of the request.

List classes that have established promotional lists in existence within the department and/or list only those classes that the employee has requested for examination:

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